

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

IN RE WILMINGTON TRUST	:	Master File No. 10-cv-00990-SLR
SECURITIES LITIGATION	:	
	:	(Securities Class Action)
	:	
	:	Hon. Sue L. Robinson
	:	
	:	Electronically Filed

NOTICE OF INTENT OF THE STATE OF DELAWARE OFFICE OF THE STATE BANK  
COMMISSIONER TO ASSERT BANK EXAMINER PRIVILEGE

Pursuant to the parties' Joint Letter to the Court dated September 5, 2014 (Dkt #252), intervenor The State of Delaware Office of the State Bank Commissioner ("OSBC") hereby provides notice to the Court and the parties that the OSBC will assert the bank examiner privilege for documents designated as "OSBC" documents, either alone or jointly with another federal or state bank regulatory agency, on privilege logs provided by Defendants Wilmington Trust Corporation, Wilmington Trust Company, and KPMG LLC, on October 3, 2014.

The OSBC intends to assert bank examiner privileges over any examination report, or e-mail, letter, memoranda, report, or other document, that reveals content taken from the OSBC examination reports, whether quoted or unquoted, whether the examination report was prepared by OSBC alone or in concert with any other regulator. The OSBC does not intend to assert privilege over that portion of a document that reveals only the fact that an examination took place, or that is a mere mention or reference that a report was issued, if no content from the report is revealed.

Respectfully submitted,

STATE OF DELAWARE  
DEPARTMENT OF JUSTICE

Dated: October 17, 2014

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CERTIFICATE OF SERVICE

I hereby certify that on October 17, 2014 I filed the *Notice of Intent of the Delaware Department of Banking and Securities to Assert Bank Examiner Privilege* with the Clerk of Court using CM/ECF which will send notification to the following:

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